

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MERCK & CO., INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 06-230 (GMS)
	)	
APOTEX, INC.,	)	
	)	
Defendant.	)	
	)	

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**RULE 7.1.1. CERTIFICATION IN CONNECTION  
WITH MERCK'S MOTION TO STAY (D.I. 68)**

Prior to Merck's filing of its Motion To Stay Further Proceedings Pending Resolution Of Its Motion To Dismiss For Lack Of Subject Matter Jurisdiction (D.I. 68), counsel for Apotex indicated to Merck's counsel that Apotex would not agree to a stay of proceedings in this action.

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*/s/ Mary B. Graham*

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*Attorneys for Merck & Co., Inc.*

Dated: February 5, 2007

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 5, 2007, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

Richard L. Horwitz, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 North Market Street  
Wilmington, DE 19899

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on February 5, 2007 upon the following individuals in the manner indicated:

**BY E-MAIL AND HAND DELIVERY**

Richard L. Horwitz, Esquire  
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*/s/ Mary B. Graham*

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